IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE SECOND DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1108 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 15/06/2004 in WP NO : 8693 OF 2004 on the file of the High Court.)

Between:

1 Gemini and Teja Television, Rep.by its Managing Director & Chairman, Anna Salai, Teynampet, Chennai
2 The Manager (Distribution), Channel, Plus, Unit of Kal Exim Pvt.Ltd.,93, Kodambakam Highway
Road, Chennai

..... APPELLANTS

AND

1 Praja Cable, rep.by S.Kanaka Reddy, S/o Chenna Krishna Reddy, Operator and Proprietor, III Floor, Kakatiya Buildings, Shankar Vilas Centre, Suryapet, Nalgonda District.
2 Uma Maheswara Cable Network, rep.by D.Ashok Reddy, S/o Lakshma Reddy,
Operator and Proprietor, Beside R & B Guest House, Main Road, Nakrekal, Nalgonda District
3 Sri Raja Rajeshwari Channel, rep.by P.Venkata Reddy, S/o Krishna Reddy, Proprietor, Radha Krishna Towers, Opp: D.S.R.Government Hospital, Durgamitta, Nellore, Nellore District
4 Shivabhi Channel, rep.by C.Ashok Kumar, S/o Janaki Ramaiah, Operator and Proprietor, 10/15, Z.P.High School Road, Gudur, Nellore

District

5 Sri Saivalli Media Entertainment, rep.by K.V.V.Pullam Raju, S/o K.V.V.S.Suryanarayana Raju, Shop No.C-8, Surya Apartment, Beside Khandari Lane, Mogalrajpuram, Vijayawada, Krishna District
6 Ayodya Cable Network, rep.by its P.V.Kalyana Chakravarthy, S/o P.V.Krishnam Raju,
C/o V.Rajam Raju, H.No.23-39-24, A.S.Raju Road,
Muthyalampadu, Vijayawada, Krishna District
7 High Tech Cable Network, rep.by J.Venkanna, S/o Narsimha, Operator and Proprietor,
HighTech, Electronics, Beside Z.P.High School, Main Road, Chityal, Nalgonda District
8 Vigneshwara Cable Network, rep.by M.Rama Krishna Rao, S/o Gurumurthy, Operator and Proprietor,

D.No.2-8-67A, Opp: Munsif Court, Trunk Road, Kavali,
Nellore District
9 The District Collector, Nalgonda, Nalgonda District
10 The District Collector, Krishna, Krishna District
11 The District Collector, Nellore, Nellore District
12 The Secretary to Government of India, Ministry of Information & Broadcasting, New Delhi
13 The Government of A.P. rep.by its Chief Secretary, Secretariat, Hyderabad
14 Uday Kumar, S/o Not Known
15 K.Sudheer Kumar,
16 Chatla Mallikarjuna Rao,
17 M.Gopala Krishna Reddy,
18 G.Premnath,
(Respondents No.14 to 18 are not necessary parties in this Writ Appeal)

.....RESPONDENTS

Counsel for the Appellants :MR.K.RAMAKANTH REDDY

Counsel for the Respondent Nos. 1 to 8.: MR.E.V.S.S.ACHARYULU.

Counsel for the respondent Nos. 9, 10, 11 and 13 : G.P. for Home.

Counsel for the respondent No. 12: Mr. A. Rajasekhar Reddy, SC for CG.

Counsel for the respondent Nos. 14 to 18: Mr. Kanti Narahari.

The Court made the following :

ORAL JUDGMENT:

(Per Hon'ble The Chief Justice)

1. Writ petition was disposed of by the learned single Judge by the impugned order dated 15.06.2004 without hearing the appellants, who are the affected persons. Appellants were impleaded as respondents 11 and 12 in the writ petition. Nobody represented them and no notice was issued to them. Grievance of the appellants is that directions issued by this court are being misused since the District Collector does not have any authority or jurisdiction to pass orders as sought for by the writ petitioners in their writ petition.

2 . We have heard counsel for the parties. Learned counsel for the writ petitioners – respondents admits that appellants were not represented and were not heard by the learned single Judge. In this view of the matter, impugned order being contrary to the principles of natural justice, is bad in law and is liable to be set aside. Appeal is accordingly allowed. Impugned order is set

aside. Learned single Judge will hear and dispose of the writ petition afresh in accordance with law. No costs.

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DEVINDER GUPTA. C.J.,

C.V. RAMULU. J.,

Dated: 02.08.2004.

VRK.

To

1. **The District Collector, Nalgonda, Nalgonda District**
2. **The District Collector, Krishna, Krishna District**

3. The District Collector, Nellore, Nellore District

4. The Secretary to Government of India, Ministry of Information & Broadcasting, New Delhi

5. The Chief Secretary to Governemnt, Secretariat, Hyderabad.

6. Two CCs to G.P. for Home, High Court Buildings,

Hyderabad (OUT)

7. **Two CD copies.**

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE C.V. RAMULU.

W.A.NO. 1108 OF 2004.

(Judgment of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 02.08.2004.